

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

PATRICK BAKER,	:	PRISONER CIVIL RIGHTS
Plaintiff,	:	42 U.S.C. § 1983
	:	
v.	:	
	:	
UNNAMED DEFENDANT,	:	CIVIL ACTION NO.
Defendant.	:	1:14-CV-2391-TWT-JFK

**UNITED STATES MAGISTRATE JUDGE’S
FINAL REPORT AND RECOMMENDATION**

On July 30, 2014, the undersigned ordered Plaintiff, within thirty days, to pay the full \$400.00 filing and administrative fees or apply for *in forma pauperis* status and to amend as it was unclear whether Plaintiff intended to file a civil action. (Order at 2-3, ECF No. 2). The undersigned advised Plaintiff that failure to comply with that directive could result in the dismissal of the action and directed the Clerk to resubmit this action at the expiration of the specified time period. (Id. at 4).

The time period expired on August 30, 2014, and the matter again is before the Court. Out of an abundance of caution, the Court has allowed Plaintiff additional time, and as of October 14, 2014, the records of the Clerk of Court indicate that Plaintiff has not submitted the applicable fees, an *in forma pauperis* application, or an amendment as ordered and has not otherwise responded.

IT IS RECOMMENDED that this action be **DISMISSED WITHOUT PREJUDICE**, due to Plaintiff's failure to comply with a lawful order of the Court. See LR 41.3 A.(2), NDGa.; see also Heard v. Nix, 170 F. App'x 618, 619 (11th Cir. Feb. 23, 2006) (affirming dismissal under Rule 41.3 and Federal Rule of Civil Procedure 41(b) for failure to comply with district court's order).

The Clerk is **DIRECTED** to terminate the referral to the undersigned.

IT IS SO RECOMMENDED and DIRECTED, this 16th day of October, 2014.



JANET F. KING
UNITED STATES MAGISTRATE JUDGE